

HOUSE No. 4284

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 18, 2012

The committee on Education to whom was referred the petition (accompanied by bill, House, No. 1962) of Martha M. Walz and others for legislation to ensure behavioral health and safety in the public schools, reports recommending that the accompanying bill (House, No. 4284) ought to pass.

For the committee,

ALICE HANLON PEISCH.

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The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act relative to safe and supportive schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 WHEREAS, a paramount goal of the Commonwealth is to ensure that all children receive a high
2 quality education that enables them to reach their full potential and become responsible citizens
3 who positively contribute to their communities and the Commonwealth; and

4 WHEREAS, a safe and supportive learning environment is a necessary foundation for increasing
5 academic achievement, enhancing healthy development, and improving educational outcomes
6 for all children; and

7 WHEREAS, the Massachusetts Behavioral Health and Public Schools Task Force developed a
8 Framework and accompanying assessment tool that facilitates the creation of safe and supportive
9 learning environments in schools;

10 THEREFORE, it shall be the policy of the Commonwealth to support and promote the statewide
11 implementation of the safe and supportive schools framework in order to create safe, healthy,
12 and supportive learning environments in schools and districts across the Commonwealth.

SECTION 1. Chapter 69 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding after section 1N the following section:-

Section 1O. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:--

“Assessment tool”, the safe and supportive schools assessment tool established pursuant to subsection (b).

“Behavioral health”, the social, emotional, mental, and behavioral wellbeing of all students.

“Board”, the board of elementary and secondary education.

“Department”, the department of elementary and secondary education.

“Framework”, the safe and supportive schools framework established pursuant to subsection (b).

“Safe and supportive school environment”, a safe, positive, healthy, and inclusive whole-school learning environment that (i) enables students to develop positive relationships with adults and peers, regulate their emotions and behavior, achieve academic and non-academic success in school, and maintain physical and psychological health and well-being; and (ii) integrates services and aligns initiatives that promote students’ behavioral health, including social and emotional learning, bullying prevention, trauma sensitivity, dropout prevention, truancy reduction, children’s mental health, the education of foster care and homeless youth, the inclusion of students with disabilities, positive behavioral approaches that reduce suspensions and expulsions, and other similar initiatives.

(b) The behavioral health and public schools framework developed pursuant to section 19 of chapter 321 of the Acts of 2008 shall henceforth be known as the safe and supportive schools framework. Each school district and individual public school shall implement the safe and supportive schools framework in order to: (i) organize, integrate, and sustain school and district-wide efforts to create safe and supportive school environments; and (ii) coordinate and align student support initiatives.

The self-assessment tool developed by the behavioral health and public schools task force pursuant to section 19 of chapter 321 of the Acts of 2008 shall henceforth be known as the safe and supportive schools assessment tool. Schools shall use the assessment tool to: (i) assess their capacity to create and sustain safe and supportive school environments for all students; (ii) identify areas where additional school-based action, efforts, guidance and support are needed in order to create and maintain safe and supportive school environments; and (iii) create action plans to address the areas of need identified by the assessment.

The board shall develop procedures for updating, improving or refining the safe and supportive schools framework and the safe and supportive schools assessment tool, in consultation with the safe and supportive schools commission established under subsection (f).

(c) Each school shall develop and update an action plan to create and maintain a safe and supportive school environment for all students. Said action plan shall be developed by the school principal, in consultation with the school council established pursuant to section 59C of chapter 71, and shall be incorporated into the annual school improvement plan required under section 11 of chapter 69; provided, however, that the district superintendent may approve an alternative process and schedule for developing school action plans. Nothing in this section shall be

construed as limiting the ability of the school principal to appoint a team for the purpose of developing the school's action plan; provided that such team shall include a broad representation of the school and local community and the principal shall make every effort to include teachers and other school personnel, parents, students and representatives from community-based agencies and providers.

School action plans shall be designed to address the areas of need identified through the use of the assessment tool described in subsection (b), and shall include the following: (i) action steps and strategies for addressing the areas of need identified by the assessment; (ii) a timeline for implementing said strategies and action steps; (iii) outcome goals and indicators for evaluating the effectiveness of the initiatives and strategies set forth in the plan; and (iv) a process and schedule for reviewing the plan annually and updating it at least once every three years.

(d) Each school district shall include in its three-year district improvement plan required under section 1I of chapter 69 a description of the steps the district will take to support the district-wide implementation of the safe and supportive schools framework and to facilitate regional coordination with behavioral health providers and other community organizations.

Each district shall publish on its website all school action plans created pursuant to subsection (c) for each school in the district.

(e) The department shall facilitate and oversee the statewide implementation of the safe and supportive schools framework. The department shall: (i) provide technical assistance to schools on using the assessment tool and developing school action plans, and to districts on coordinating with community service providers and developing strategies to facilitate the district-wide implementation of the framework; (ii) develop and disseminate model protocols and practices

identified in the framework; (iii) establish a “Safe and Supportive Schools” grant program, subject to appropriation, wherein grantees shall pilot and share with other schools an effective process for developing and implementing school action plans; (iv) update its website to include the framework, the assessment tool, best practices, and other information related to the implementation of the framework; (v) host regional trainings for schools and districts, subject to appropriation; and (vi) provide administrative support to the safe and supportive schools commission established under subsection (f), subject to appropriation. Nothing in this section shall be construed as limiting the ability of the department to contract with individuals, external partners or other entities to support the functions established under this section; provided further, that the department shall consider opportunities for education collaboratives or other regional service organizations to coordinate and disseminate training, technical assistance, and information to school districts on the implementation of the framework.

(f) There shall be a safe and supportive schools commission to advise the department on the statewide implementation of the safe and supportive schools framework. The commission shall consist of 17 members: 1 of whom shall be the commissioner of elementary and secondary education, or his designee, who shall serve as co-chair; 1 of whom shall be the secretary of education, or his designee; 1 of whom shall be a school superintendent appointed by the Massachusetts Association of School Superintendents; 1 of whom shall be a school committee member appointed by the Massachusetts Association of School Committees; 1 of whom shall be a school principal appointed jointly by the Massachusetts Secondary School Administrators’ Association and the Massachusetts Elementary Schools Principals Association; 1 of whom shall be teacher appointed jointly by the Massachusetts Teachers Association and the American Federation of Teachers Massachusetts; 1 of whom shall be a director of special education or

director of student support services appointed by the Massachusetts Administrators for Special Education; 1 of whom shall be an executive director of an education collaborative appointed by the Massachusetts Organization of Education Collaboratives; 1 of whom shall be a school psychologist appointed by the Massachusetts Schools Psychologists Association, who shall serve as co-chair; 1 of whom shall be a school social worker appointed by the Massachusetts Chapter of the National Association of Social Workers; 1 of whom shall be a school adjustment counselor or guidance counselor appointed by the Massachusetts School Counselors Association; 1 of whom shall be a school nurse appointed by the Massachusetts School Nurse Organization; 1 of whom shall be an advocate with experience in education, behavioral health and the impact of trauma on learning appointed by Massachusetts Advocates for Children; 1 of whom shall be a representative of the Parent/Professional Advocacy League appointed by the Parent/Professional Advocacy League; and 3 members to be appointed by the secretary of education: 1 of whom shall be a representative from the behavioral health and public schools task force who participated in the development and statewide evaluation of the assessment tool; 1 of whom shall be a representative from a community-based organization that provides mental health services to schools; and 1 of whom shall be a representative from a non-mental health community-based organization that provides services to youth and families. In selecting commission appointees, priority shall be given to individuals who either participated on the behavioral health and public schools task force or who represent schools that have experience implementing the safe and supportive schools framework.

The commission shall: (i) investigate and make recommendations to the board on updating, improving, and refining the framework and the assessment tool as appropriate; (ii) identify strategies for increasing schools' capacity to carry out the administrative functions identified by

123 the behavioral health and public schools task force; (iii) propose steps for improving schools’
124 access to clinically, culturally and linguistically appropriate services; (iv) identify and
125 recommend evidenced-based training programs and professional development for school staff on
126 addressing students’ behavioral health and creating safe and supportive learning environments;
127 (v) identify federal funding sources that can be leveraged to support the statewide
128 implementation of the framework; (vi) develop recommendations on best practices for
129 collaboration with families, including families of children with behavioral health needs; and (vii)
130 examine and recommend model approaches for integrating school action plans, required under
131 subsection (c), with school improvement plans and for using the framework to organize other
132 school and district improvement processes.

133 The commission may collect and review data and feedback from schools as they complete the
134 assessment tool and develop school action plans, and may convene stakeholders to facilitate
135 solutions to challenges as they arise during the implementation process. The commission may
136 request from the department such information and assistance as may be necessary to complete its
137 investigation.

138 The commission shall consult with and solicit input from various persons and groups, including,
139 but not limited to: the office of the Child Advocate; the department of early education and care;
140 the department of children and families; the department of mental health; the department of
141 public health; the department of youth services; the department of developmental services; and
142 any other parties or entities the commission deems appropriate.

143 SECTION 2. Subsections (b) through (d), inclusive, of section 10 of chapter 69 of the General
144 Laws shall be effective as of June 30, 2016.

SECTION 3. The department of elementary and secondary education shall begin providing technical assistance required under subsection (e) of section 1O of chapter 69 of the General Laws on or before September 1, 2014.

SECTION 4. The safe and supportive schools commission established pursuant to subsection (f) of section 1O of chapter 69 of the General Laws shall conduct its first meeting not more than 90 days after the effective date of this act, and shall meet no less than 4 times annually. The commission shall prepare and submit an annual progress report concerning the commission's activities with appropriate recommendations, together with drafts of legislation necessary to carry out such recommendations, if any, on or before December 31 each year. The commission shall submit such annual report to the governor and the clerks of the senate and the house of representatives, who shall forward the same to the chairs of the joint committee on education, the chairs of the joint committee on mental health and substance abuse, the chairs of the joint committee on children, families and persons with disabilities, and the chairs of the house and senate committees on ways and means. The first three annual reports shall include recommendations regarding: (i) federal funding sources that can be leveraged to support the statewide implementation of the safe and supportive schools framework; (ii) training programs and professional development for school staff on creating safe and supportive learning environments; (iii) improving access to clinically, culturally, and linguistically appropriate services; and (iv) addressing the administrative functions necessary to carry out the implementation of the safe and supportive schools framework. The commission shall continue to submit such annual reports through December 31, 2023, after which the commission shall be terminated.